

JOHN LU TOO WILLING

But His Wife Not So Anxious For Divorce.

THE SUIT WAS DISMISSED

ON HER MOTION OVER JOHN'S PROTEST.

District Court Reversed in Lawler vs. Jennings—Crown Point Case Will Come Up Again This Morning—E. E. Crooks Adjudged a Bankrupt—Miscellaneous Cullings.

John Lu Taylor is still a benedict. It is John Lu's fault, however, for, according to his statement in court yesterday, he is anxious for a severance of matrimonial ties.

The suit for divorce instituted by his wife some time ago on the grounds of cruelty came to a sudden and unexpected termination yesterday, when Mrs. Taylor, appearing in person, asked the court to dismiss the case. John Lu objected, but as he had no standing in the case, being in default, Judge Hiles took no notice of his protests, speaking in a legal sense.

It will be remembered that on Monday Mr. Hutchinson, acting upon the request of Mrs. Taylor, appeared in court and asked that the case be dismissed on the calendar. His honor obligingly consented, and accordingly it was set for yesterday morning. When court convened, the attorney arose and said:

"Your honor, the party whom I represent in this case seems to have experienced a change, and I now ask that the case be dismissed without prejudice."

"I object, your honor," came from the rear end of the court room, where John Lu had been sitting, and he summed for the purpose of listening to the testimony that would be produced against him. Then, advancing to the lawyers' table, he continued: "The lady, I am sure, is laboring under a misapprehension, and I object to the case being dismissed. I feel sure that if the lady understood the situation thoroughly, she would not ask for a dismissal. I think she is misinformed, and should be given a chance to realize the true position."

"But, Mr. Taylor," interposed the court, "you understand I am dismissing this case at plaintiff's request, without prejudice. It may be reinstated if she sees fit."

"Without prejudice, is it?" began John Lu, reflectively. "It may be reinstated; well, I understand."

The case was ordered dismissed. What John Lu meant by his statement that "The lady, I am sure, is laboring under a misapprehension," was that she had made peace proposals to him and invited him to come back and share once more of the comforts of home, and in the hope that he would do it, it caused the suit to be dismissed. But John was not so sure, and for that reason did not want to take the action he did. But in the night the husband's heart again hardened, and he decided to resist the illusive hopes of a reunion.

LOWER COURT REVERSED

In Case of Lawler vs. Jennings and Others.

An opinion was handed down yesterday by the supreme court in the case of William B. Lawler vs. Isaac Jennings et al., remanding the case to the district court with directions to enter judgment in favor of defendants for \$1,000 and interest, representing an amount which Lawler had been overpaid in a mining claim.

It seems that in 1892 the Grizzly Mining company purchased from Lawler certain mining claims for \$30,000. A portion of the purchase price was paid to plaintiff by notes of the company endorsed by the stockholders, of which Isaac Jennings was one. In 1894 this indebtedness was taken up by the stockholders, and each paid or secured to plaintiff his share of the indebtedness. Jennings secured his share by giving a note and mortgage, but by a mistake of all the parties Lawler was overpaid to the amount of \$1,000. Upon discovering this, the company assigned to Jennings the claim so overpaid. Lawler insisted upon getting back the mortgage, contending the claim was not assignable, and on this point the lower court sustained him. The higher tribunal decided otherwise, and the claim was assigned, and as the mistake was mutual, Jennings is entitled to have the amount overpaid.

The opinion was written by Justice Miner and concurred in by Chief Justice Zane and Justice Borth.

CROWN POINT CASE.

Plaintiff Given Leave to Amend His Complaint.

The injunction suit of C. M. Jackson against the Crown Point Mining company, wherein the former seeks to restrain the company from collecting an assessment on 4,500 shares of stock of the company, was up before Judge Hiles yesterday morning. The restraining order was dismissed on the grounds that the complaint was not specific enough in its allegations. Judge Street then asked leave to amend and was given until today to file his new complaint.

In the complaint which will be filed this morning Mr. Jackson will allege that at no time has any place been established as stockholder acknowledge the authority of the board of directors, and at no time has been voted for the amended articles under which the assessment was levied.

The matter will be heard on its merits this morning.

E. E. CROOKS A BANKRUPT.

Liabilities Stated at \$3,510, Assets Nil.

A petition in voluntary bankruptcy was yesterday filed by Elmer E. Crooks in the United States district court. The liabilities are stated as follows: McCormick & Co., \$1,025; Herman Bank, \$1,000; J. E. Brown, Terry & Woodruff Co., \$25; John Hanch Brewing Co., Cincinnati, \$100; E. B. Cook Distillery Co., Cincinnati, \$100; Myers Cigar Co., Cincinnati, \$20.

Total, \$3,510.

The assets are nil. The order of bankruptcy was made by Judge Marshall and the matter referred to Charles Baldwin, referee in bankruptcy. Oct. 26 was set for the first meeting of creditors.

SUES FOR PAYMENT OF SERVICES.

William T. S. Curtis of Washington, D. C., has sued Mrs. A. A. Cole for a balance of \$267.75, alleged to be due for securing patents on the Valley and Non de Plume mining claims in the Tintic district, and for an additional sum of \$23.20 paid out for having the same surveyed. The suit is based on a contract executed by Mrs. Cole in April, 1882, and which reads as follows:

"In consideration of services rendered and to be rendered faithfully by William T. S. Curtis of Washington, D. C., in my mining claims, I agree to pay said Curtis for myself and heirs: When my patent is issued for any of my mining claims the sum of \$200, and when my business is all settled up and I get my money, I then agree to give \$300 additional."

Stephens & Smith are counsel for Mr. Curtis.

Judgments Entered.

William E. Grimsbach secured a judgment for \$2,000 in Judge Sorell's court yesterday against John Field on account of a violation of contract in connection with the erection of the McCormick bank building.

The Travelers' insurance company yesterday secured judgment by consent against Maggie Glendinning for \$7,249.44 and \$250 attorney's fees. Judgment on cross-complaint in favor of John Tiernan for \$6,120.65, attorney's fees amounting to \$300 and cost of suit.

Court Cullings.

The case of D. H. Sherman against George W. Jenkins et al. was yesterday continued to the foot of the calendar in Judge Cherry's court.

The case of Mary Krasner vs. the Draper Irrigation company is still on trial in Judge Cherry's court.

The case of Benjamin F. Saunders vs. D. C. Reed will come up before Judge Sorell today.

A decree of foreclosure was entered yesterday against Fernando Roys in favor of Charles T. Linburg for \$2,305.20, \$125 taxes and \$25 interest on taxes and \$100 attorney fees.

Judge Hiles was engaged for an hour or so yesterday in hearing evidence in support of the petition by Thomas Shaw, alleging that Thomas Shaw is unfit to manage the estate, which is of Joseph Shaw. Florence Shaw, wife of the deceased, contested the application, alleging that Thomas Shaw is unfit to manage the estate, which is of Joseph Shaw. Florence Shaw, wife of the deceased, contested the application, alleging that Thomas Shaw is unfit to manage the estate, which is of Joseph Shaw.

KNOCKED DOWN AND ROBBED

SAMUEL ENSIGN CLAIMS HE WAS SO TREATED

On Commercial Street at 6 O'Clock In the Evening—Horse and Buggy Stolen—Other Police News.

Samuel Ensign of 727 East Second South street claims to have been knocked down and robbed of \$15 on Commercial street at about 6 o'clock last evening. He says he was coming down the west side of the street when he was struck. He was very much dazed and could not remember much about himself until he was nearly reached home, when his attention was called to the blood on his face and a large gash on the back of his head. Medical assistance was called and attention given to his injuries, which are not considered serious. He was not able to tell how the affair happened. A neighbor reported the matter to the police.

Ensign is interested in mining claims at Pine canyon.

Horse and Buggy Stolen.

Charles H. Wilken of 603 South Seventh East street reported last night that his horse and buggy had been stolen from in front of the church of St. Francis, where he had been attending a meeting. He missed the rig upon his return, about 7:30. The animal was a sorrel pacer horse, with the brand "E. R. F." on the right thigh. The buggy was a single top vehicle.

Mischievous Boys.

Three boys of tender years admitted to Judge Timmon yesterday that they threw stones and broke windows in the residence of Jack Reeves and West Temple street, and committed other depredations in that neighborhood. These gentlemen merely wanted the windows replaced, and the boys were given another chance to behave themselves, so that Judge Timmon, who had a mind to send them to the district court with recommendations as to their reform school, thought it best to suspend sentence pending good behavior.

THE PHILIPPINES.

Should or Should Not the United States Retain Them.

At a public meeting to be held by the James A. Garfield Lyceum, Alexander E. Eberhardt and Robert N. Young will debate for the title of champion debater of the lyceum. The question to be debated is "Resolved, That the United States Should Retain the Philippines, and Thus Inaugurate an Imperial Policy." The affirmative will be defended by the challenger, Mr. Eberhardt, and the negative by the present champion, Mr. Young. All friends of the lyceum and the public generally are invited to attend the meeting, which will be held in the lecture room of the First Congregational church on Friday evening, Oct. 14, at 8 o'clock.

Real Estate Transfers.

J. B. Martin to W. W. Targart, lots 9 and 20 block 7, East Waterloo, \$450.

Columbia A. Gilbert to Caroline H. Herman Bank, \$1,000.

John Hanch Brewing Co., Cincinnati, \$100.

E. B. Cook Distillery Co., Cincinnati, \$100.

Myers Cigar Co., Cincinnati, \$20.

Total, \$3,510.

The assets are nil. The order of bankruptcy was made by Judge Marshall and the matter referred to Charles Baldwin, referee in bankruptcy. Oct. 26 was set for the first meeting of creditors.

Sues for Payment of Services.

William T. S. Curtis of Washington, D. C., has sued Mrs. A. A. Cole for a balance of \$267.75, alleged to be due for securing patents on the Valley and Non de Plume mining claims in the Tintic district, and for an additional sum of \$23.20 paid out for having the same surveyed. The suit is based on a contract executed by Mrs. Cole in April, 1882, and which reads as follows:

The Royal is the highest grade baking powder known. Actual tests show it goes one third further than any other brand.



ROYAL BAKING POWDER CO., NEW YORK.

JUDGES OF ELECTION

Appointments Made by the County Commissioners.

DISTRICTS UNSUPPLIED

THE POPULISTS SECURE MORE PLACES THAN REPUBLICANS.

Compensation Fixed at Three Dollars Each For All Services On Election Day—Some Unexpected Characteristics in the Order and Kind of Appointments.

Judges of the election to be held on Tuesday, Nov. 8, were yesterday appointed by the board of county commissioners in all of the Salt Lake City districts excepting the Fort-Like and for 13 out of the 36 districts of the county. The appointments were made for these eight districts and to fill vacancies created by declarations next Monday, provided the county chairman of the several political committees submit names not supplied yesterday, in recommendation at that time. County Clerk Dunbar was directed to invite such recommendations.

Hon. B. T. Lloyd, Democratic chairman, and Hon. J. C. Elmore, Republican chairman, were present at the meeting, and the appointments were made from lists submitted by them. The Populists had no personal representative before the board, other than in County Commission. Hall, but nevertheless, the minority party received all the recognition sought for, and more.

FEW REPUBLICAN DISTRICTS.

Only those districts which gave a Republican majority for the candidate for judge of the election day received two Republican judges, and in all other districts the Democrats got two out of the three judges, except where a Populist was appointed.

The Fifth district is the only Republican district in Salt Lake City on the basis of the last general election, and Salt Lake City and West Valley are the only other smaller districts are lonesomely in the Republican column in the outgoing precinct.

Unless the board of county commissioners makes an order to the contrary, the first named in each set of judges will, if custom is followed, be the presiding judge. This will give the Populist recognition equal to, if not greater than that accorded to the Republicans. The board fixed the compensation of the judges at \$3 each for all services on election day.

A perusal of the following list of appointments will reveal some strange combinations and novel features:

FIRST MUNICIPAL WARD.

First District—E. W. Gieson (D.), Alex Mitchell (D.), W. S. Wiley (R.).

Second—E. W. Gieson (D.), John M. Leeder (D.), C. A. Sadler (R.).

Third—John Sildoway (D.), John M. Breeze (R.), George Kinghouse (R.).

Fourth—C. A. Lund (D.), Robert H. Sildoway (D.), E. W. Gieson (R.).

Fifth—W. G. Sears (D.), George Maycock (D.), Ed Pickering (R.).

Sixth—W. R. Foster (D.), A. Greene (D.), Rudolph (D.), E. W. Gieson (R.).

Seventh—Joseph A. Edmunds (D.), A. W. Gallacher (D.), William Rawlings (D.).

Eighth—S. W. Darke (D.), Joseph L. Barrow (D.), J. C. McAllister (R.).

Ninth—O. H. Pettit (D.), J. H. Donelson (D.), E. K. Critchlow (R.).

Tenth—H. S. Lane (D.), E. A. Reeves (D.), J. C. McAllister (R.).

Eleventh—Frederick Hodder (R.), W. J. Sloan (D.), George Buckie (R.).

SECOND MUNICIPAL WARD.

Twelfth District—A. E. Bryan (D.), J. W. Cunningham (D.), H. A. Heath (R.).

Thirteenth—William H. Chamberlain (D.), Henry Green (D.), John J. Sell, (R.).

Fourteenth—Alex Cowan (D.), C. A. Carquist (D.), David E. Walker (D.).

Fifteenth—E. W. Gieson (D.), H. A. Heath (D.), H. L. ... (R.).

Sixteenth—George Durant (R.), N. H. Glenn (D.), H. Cartwright (R.).

Seventeenth—Robert Butterworth (D.), Robert Butterworth (D.), Joseph Burton (R.).

Eighteenth—S. E. Hamner (D.), A. L. Poulton (D.), J. H. Anderson (D.).

Nineteenth—L. G. Hartley (D.), Edward Nissen (D.), R. P. Palmer (R.).

Twentieth—W. W. Miller (D.), David James (D.), R. E. Collier (R.).

Twenty-first—E. P. Armstrong (D.), Willis Whitridge (D.), C. M. Hammond (R.).

Twenty-second—Dennis Ward (D.), R. E. Vance (D.), H. Hill (R.).

Twenty-third—W. S. Burton (D.), William Seare (D.), J. W. Fox (R.).

Twenty-fourth—R. H. Wheeler (R.), Archibald Buchanan (D.), Thomas Hall (R.).

Twenty-fifth—Samuel I. Russell (D.), Samuel Boyd (D.), Alex Watson (R.).

Twenty-sixth—Samuel Boyd (D.), D. E. Elton (D.), Frank Meyer (R.).

THIRD MUNICIPAL WARD.

Twenty-seventh District—C. R. Felt (D.), R. H. House (D.), T. D. Lewis (R.).

Twenty-eighth—T. R. Ellerbeck (R.), A. F. Barnes (D.), S. E. Doremus (R.).

Twenty-ninth—S. S. Newton (D.), J. H. Whitaker (D.), H. Christopherson (R.).

Thirtieth—Milando Pratt (D.), Richard Collet (D.), William Elliott (R.).

Thirty-first—L. W. Tanner (R.), R. H. Haslam (D.), H. E. Walters (D.).

Thirty-second—E. A. Folland (R.), James Bishop (D.), Isaac Jennings (R.).

Thirty-third—William Selley, Jr. (D.), John Holley (D.), L. A. Emery (R.).

Thirty-fourth—George Pugsley (D.), S. M. Barlow (D.), W. P. Nebeker (R.).

Thirty-fifth—S. E. Taylor (D.), Jesse Goodfellow (D.), F. E. Gowan (R.).

Thirty-sixth—Edward Brook (D.), G. R. Jones (D.), F. H. Rudy (R.).

FOURTH MUNICIPAL WARD.

Thirty-seventh district—George F. Felt (D.), Frank Meyle (D.), R. R. Anderson (R.).

Thirty-eighth—Herbert W. Lawrence (D.), J. B. Cummock (D.), J. F. Wells (R.).

Thirty-ninth—J. A. Maynes (D.), D. S. Murray (D.), M. A. Romney (R.).

Fortieth—E. L. Sloan (D.), Edgar Rowe (D.), J. T. A. Jones (R.).

Forty-first—John Ford (D.), James Barton (D.), Alex Lyon (R.).

Forty-second—John W. Yenne (P.), W. J. Fouldenham (D.), H. M. Dinwiddie (D.).

Forty-third—C. Christensen (P.), E. Angell (D.), E. G. Rognon (R.).

FIFTH MUNICIPAL WARD.

Forty-fourth District—Hudson Smith (D.), Charles Baldwin (D.), Hoyt Sherman (R.).

Forty-fifth—S. R. Skidmore (D.), J. W. Dargenfeld (D.), C. W. Morse (R.).

Forty-sixth—C. I. Douglas (D.), G. W. Snow (D.), Thomas Hills (R.).

Forty-seventh—W. P. Madden (D.), Frank Collett (D.), F. E. McGinnis (R.).

Forty-eighth—J. G. Midgley (D.), T. V. Williams (D.), Ralph Guthrie (R.).

Forty-ninth—No appointments made.

Fiftieth—J. S. Daveler (R.), M. J. O'Meara (R.), T. W. Sloan (D.).

Fifty-first—R. Y. Hampton (D.), G. E. Woolley (D.), A. L. Simond (R.).

Fifty-second—J. W. Linder (D.), Charles Smith (D.), G. P. Rhea (R.).

OUTSIDE PRECINCTS.

Fifty-third District—William Bradford (D.), Henry Thayne (D.), F. M. Bishop (R.).

Fifty-fourth—A. S. Gabbott (R.),

William Gabbott (D.), H. F. Burton (D.).

Fifty-fifth—J. C. Capson (D.), H. J. Debenham (D.), W. H. H. Spafford (R.).

Fifty-sixth—R. J. Bailey (R.), George Bailey (D.), Henry Williams (D.).

Fifty-seventh—Frederick Samuelson (D.), W. G. Park (R.), John Morgan (D.).

Fifty-eighth—Mort Miller (D.), J. R. Carlisle (D.), Robert Harmon (R.).

Fifty-ninth—J. P. McCombs (D.), F. C. Howe (D.), William Boyce (R.).

Sixtieth—A. E. Cahoon (P.), M. A. Williamsen (D.), W. H. Miles (R.).

Sixty-first—James Proctor (D.), C. Jacobson (D.), Benjamin Wright (R.).

Sixty-second—S. A. Casto (D.), Francis McDonald (D.), R. Knudsen (R.).

Sixty-third—No appointments made.

Sixty-four—W. B. Hardy (R.), Bines Dixon (D.), Martin Barn (R.).

Sixty-fifth—A. W. Spanton (P.), Charles Boyce (D.), Alva Butler (R.).

Sixty-sixth—Charles Denny (R.), J. H. Brown (D.), James M. Nelson (R.).

Sixty-seventh—A. J. Cushing (R.), R. B. Jensen (R.), G. L. Rosenberg (R.).

Sixty-eighth—Emil Hartviksen (R.), Daniel Gibson (R.), James A. Leslie (D.).

Sixty-ninth—John Boyce (R.), David Archibald (D.), George Thomson (R.).

Seventieth—John Bots (R.), William Sherwood (D.), John Stowell (R.).

Seventy-first—N. A. Nelson (D.), Albert Brown (D.), James M. Nelson (R.).

Seventy-second—J. R. Rawling (D.), J. H. Brown (D.), James M. Nelson (R.).

Seventy-third—J. H. Olson (D.), J. F. Holt (D.), Joseph Nichols (R.).

Seventy-fourth—Robert Freeman (R.), Samuel Butterfield (R.), William A. Rodell (D.).

Seventy-fifth—Seth Pickett (R.), George Hackett (D.), Edwin Orgil (D.).

Seventy-sixth—No appointments made.

Seventy-seventh—Henry Steadman (D.), Reuben Gardner (D.), J. J. Williams (R.).

Seventy-eighth—No appointments made.

Seventy-ninth—Samuel Bringham (D.), J. S. Lindsay (D.), J. R. Benning (R.).

Eightieth—H. C. Nelson (D.), William Shaughnessy (D.), Frank Hicks (R.).

Eighty-first—F. W. Quinn (D.), R. L. ... (D.), J. S. Strickley (R.).

Eighty-second—Charles Peck (D.), W. L. Crane (D.), L. C. Jeffries (R.).

Eighty-third—No appointments made.

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Eighty-sixth—No appointments made.

Eighty-seventh—Frank Y. Taylor (D.), J. W. Musser (D.), George M. Carr (R.).

Eighty-eighth—Benjamin Harris (D.), James Frost (D.), George Naylor (R.).

WILD BEASTS IN TOWN.

REPORTED DEPREDACTIONS IN NORTH-EASTERN QUARTER.

Chicken Coops Devastated By Mountain Lions, Coyotes or Some Kindred Animals.

Wild animals from the mountains—panthers, mountain lions or coyotes—descended from their lairs early yesterday morning and made murderous assaults upon several henneries on First street. Daylight revealed dead chickens, dying chickens and chickens with out feathers.

L. H. Curtis, who resides at 477 First street, was awakened about 4 o'clock by a great commotion in his henroost. With his son, who lit the lantern, he went out to investigate. The fowls had been driven from their lodgings and were uttering bitter and thither to escape the attack of the animals who were dealing death on all sides. Mr. Curtis thought the animals were large as a good sized dog, and had bushy tails.

They ran in different directions upon the approach of the men. Later Mr. Curtis could hear the cawing, cawing, cawing. It was too dark for him to distinguish the form sufficiently clear to ascertain what the creatures were. Down near M street a similar raid was made, and a dozen chickens killed.

Mr. Curtis believes they will return again, and proposes to lie in wait for them. He invites any of the local sportsmen to game to join him in the chase.

MICHIGAN BANK ROBBED.

Burglars Took All the Cash Except the Silver.

Grand Rapids, Mich., Oct. 11.—The private bank of Jacob Denherder at Zeeland was looted by robbers early today, and the vaults scraped clean of all currency except \$1,000 in silver, which the thieves rejected as too inconvenient to carry. From notes heard by those in the vicinity it is believed that the vault was blown open and the safe wrecked at about 3 a. m. The robbery was used in wrecking the vault, and everything shows the neat work of professionals.

Mr. Denherder refuses to give out the amount stolen, but it is believed to be between \$2,000 and \$5,000. He states that he will suffer no loss, as he